

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: NAGATAKE et al.

Serial No.: 09/868,106

Filed: June 14, 2001

Art Unit: 1614

Examiner: Rebecca Cook

Attorney Docket No.: JG-HK-5084

PREVENTIVE AGAINST
RESPIRATORY INFECTIOUS
DISEASES

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Commissioner of Patents
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Dear Sir:

In accordance with MPEP § 713.04, Applicants make the following statements.

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Rebecca Cook
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ReedSmith

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From: Danielle E. Johnson
 Direct Phone: 212.521.5425
 Email: dejohnson@reedsmit.com
 Date: June 2, 2004

Reed Smith LLP
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Serial No.: 09/868,106

Filed: June 14, 2001

Examiner: Rebecca Cook

Attorney Docket No.: JG-HK-5084/500572.20040

PREVENTIVE AGAINST RESPIRATORY INFECTIOUS DISEASES

Dear Examiner Cook:

Per our telephone conversation, attached is a copy of the response filed April 16, 2004. Also attached is a copy of the return postcard.

Respectfully submitted,

Danielle E. Johnson

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 599 Lexington Avenue
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Examiner: Rebecca Cook

Attorney Docket No.: JG-HK-5084/500572.20040

PREVENTIVE AGAINST RESPIRATORY INFECTIOUS DISEASES

Dear Examiner Cook:

Attached is a copy of the return postcard for the response to the Office Action mailed on February 11, 2004 for the above identified application.

Respectfully submitted,

Danielle E. Johnson

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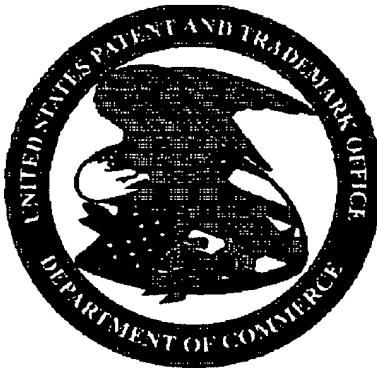
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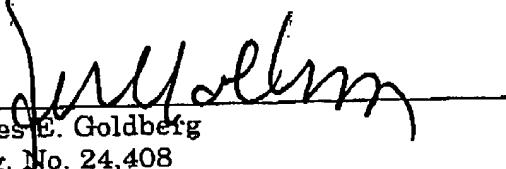
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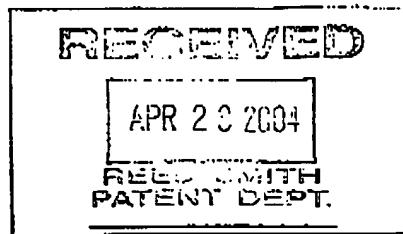
Applicants' attorney wishes to thank the Examiner for the careful consideration given this case. On October 29, 2003, Jim Dilmore (Registration No. 51,518; agent for Applicants) conducted a telephonic interview with Examiner Cook regarding the present application (Serial No. 09/868,106). No exhibits were shown, nor were demonstrations conducted. Prior art, namely Goumas (of record), was discussed in light of presently-pending Claim 3. Claim language was discussed, specifically, whether the Examiner would consider if amending "comprising" to recite "consisting essentially of" would overcome the pending rejection under 35 U.S.C. § 103. It was determined that the Applicants would file an RCE so that the Examiner could fully consider the arguments of the Applicants. Accordingly, Applicants filed an RCE on February 11, 2004.

Respectfully submitted,

By 
Jules E. Goldberg
Reg. No. 24,408

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599 Lexington Avenue
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(212) 521-5400

Attorney for Applicant



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Attorney Docket No.: JG-HK-5084/500572.20040

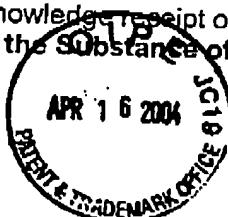
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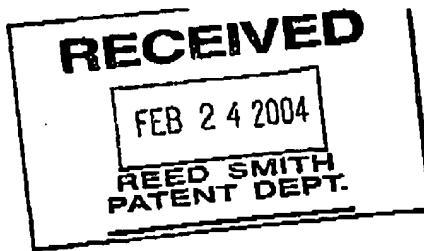
Serial No.: 09/868,106

Filed: June 14, 2001

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Statement of the Substance of the Interview





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Atty Docket No.: JG-HK-5084/500572.20040

NAGATAKE et al.

09/868,106

June 14, 2001

**PREVENTIVE AGAINST RESPIRATORY INFECTIOUS
DISEASES**

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Response

